

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**ANYPLACE MANAGEMENT AND  
DIAGNOSTICS, INC. d/b/a  
ANYPLACE MD,** *Plaintiff*

**V.**

**HEALTHCARE BILLING  
SOLUTIONS, INC. and  
CONTIGO TECHNOLOGY, LLC,  
*Defendants***

**DENTAL HEALTH MANAGEMENT  
SOLUTION, INC.,**  
*Movant*

**Case No. 1:22-CV-00353-LY**

## ORDER

Before the Court are Movant Dental Health Management Solutions, Inc.’s Motion to Quash Defendant’s Subpoena to Produce Documents or to Permit Inspection of Premises, filed August 23, 2022 (Dkt. 8); Defendant Healthcare Billing Solutions, Inc.’s Response in Opposition to Dental Health Management Solutions, Inc.’s Motion to Quash, filed August 29, 2022 (Dkt. 12); and Plaintiff, Anyplace MD, and Defendant, Healthcare Billing Solutions, Inc.’s Joint Advisory, filed by order of the Court on September 30, 2022 (Dkt. 19).<sup>1</sup>

With their Joint Advisory, the parties submitted a proposed order (Dkt. 19-2) and represent that “[c]ounsel for Dental Health Management Solutions, Inc. and Healthcare Billing Solutions, Inc. believe such an Order would resolve the outstanding dispute of the Parties.” Dkt. 19 at 3.

<sup>1</sup> The District Court referred the Motion to Quash to the undersigned Magistrate Judge for resolution, pursuant to 28 U.S.C. § 636(b)(1)(A), Federal Rule of Civil Procedure 72, and Rule 1(c) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, as amended. Dkt. 11.

Consistent with the proposed order (Dkt. 19-2), the Court hereby **ORDERS** that Dental Health Management Solutions, Inc.'s Motion to Quash Defendant's Subpoena to Produce Documents or to Permit Inspection of Premises (Dkt. 8) is **GRANTED IN PART AND DENIED IN PART**. On or before October 28, 2022, Dental Health Management Solutions, Inc. ("DHMS") shall produce, or cause to be produced, to Defendant all of the data preserved and reviewed by CFC Response in preparation of its Forensic Analysis of Email Environment. This data is known as the preserved tenant as defined in Plaintiff, Anyplace MD, and Defendant, Healthcare Billing Solutions, Inc.'s Joint Advisory (Dkt. 19). This data will be produced in a usable format with no redactions or restrictions placed on the data. To the extent the Motion to Quash argued against such production, the Motion to Quash is **DENIED**.

The Motion to Quash is **GRANTED** as to production of the email tenant for DHMS and AnyPlace currently in use, also known as the production tenant.

All other relief not expressly granted herein is **DENIED**.

The Court **ORDERS** the Clerk to **REMOVE** this case from the Magistrate Court's docket and **RETURN** it to the docket of the Honorable Lee Yeakel.

**SIGNED** on October 21, 2022.



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SUSAN HIGHTOWER  
UNITED STATES MAGISTRATE JUDGE